

# United States District Court

DISTRICT OF

JOHN E. FELGAR,  
v. PETITIONER,

APPLICATION TO PROCEED IN  
FORMA PAUPERIS, SUPPORTING  
DOCUMENTATION AND ORDER

PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE, ET AL,  
RESPONDENT.

CASE NUMBER: 06-1826  
DISTRICT COURT NO. 04-CV-00196 E

I, JOHN E. FELGAR, declare that I am the (check appropriate box)

☒ petitioner/plaintiff

☐ movant (filing 28 U.S.C. 2255 motion)

☐ respondent/defendant

☐ other

CLERK U.S. DISTRICT COURT  
DIST. OF PENNSYLVANIA

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, cost or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or give security therefor; that I believe I am entitled to relief. The nature of my action, defense, or other proceeding or the issues I intend to present on appeal are briefly stated as follows:

CAN THE RESPONDENT IN THE  
ABOVE CAPTIONED CASE CONTROL WHETHER OR NOT THE  
PETITIONER IS IN CUSTODY BY IGNORING THE ORDER OF  
THE COURT OF COMMON PLEAS OF JEFFERSON COUNTY?  
(SEE ORDER ENCLOSED WITH-IN)

In further support of this application, I answer the following questions.

1. Are you presently employed?

Yes ☐ No ☒

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

LAST EMPLOYMENT ON 2-28-06, GROSS WAGES \$600.00 MONTHLY

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or other form of self-employment

Yes ☐ No ☒

b. Rent payments, interest or dividends?

Yes ☐ No ☒

c. Pensions, annuities or life insurance payments?

Yes ☐ No ☒

d. Gifts or inheritances?

Yes ☐ No ☒

e. Any other sources?

Yes ☐ No ☒

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NO: 06-1826

D.C. NO: 04-CV-00196

VERIFICATION

I, John E. Felgar, hereby verify that the STATEMENTS made in the foregoing APPLICATION TO PROCEED IN FORMA PAUPERIS, SUPPORTING DOCUMENTATION AND ORDER ARE TRUE. I UNDERSTAND THAT FALSE STATEMENTS HEREIN MADE ARE SUBJECT TO THE PENALTIES OF 18 PA C.S. 4904 RELATING TO UNSWORN FALSIFICATIONS TO AUTHORITIES.

DATE: 3/23/06

John E. Felgar  
JOHN E. FELGAR

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
NO: 06-1826  
D. C. NO: 04-CV-00196  
CERTIFICATE OF SERVICE

AND NOW, this 23<sup>rd</sup> day OF MARCH, 2006,  
I, John E. Felgar, hereby CERTIFY THAT I HAVE,  
this date, SERVED ONE COPY OF THE FOREGOING  
APPLICATION TO PROCEED IN FORMA PAUPERIS,  
SUPPORTING DOCUMENTATION AND ORDER, by  
PLACING SAME IN THE U.S. MAIL, to BE MAILED  
by FIRST CLASS mail, proper postage prepaid,  
in Brookville, PA, ADDRESSED TO THE FOLLOWING:

KEMAL ALEXANDER MERICILI, Esq.  
OFFICE OF THE ATTORNEY GENERAL  
564 FORBES AVENUE  
6<sup>th</sup> FLOOR, MANOR COMPLEX  
Pittsburgh, PA. 15219

RESPECTFULLY Submitted,  
By: John E. Felgar  
John E. FELGAR  
130 South PICKERING STREET  
Brookville, PA. 15825

COURT OF COMMON PLEAS OF JEFFERSON COUNTY  
PENNSYLVANIA  
CRIMINAL

FILED

AUG 22 2002

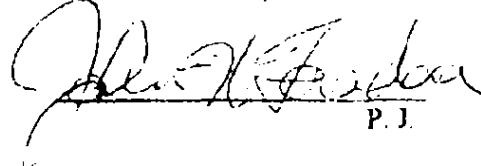
COMMONWEALTH OF PENNSYLVANIA : No. 632 - 2001 Cr.  
vs. :  
: OTN: H 284299-1  
JOHN E. PELGAR, : Charge: Simple Assault (M-2)  
Defendant. :  
: Pros: Ofc. Kirk Brudnock  
: Reynoldsville PD

SENTENCE

AND NOW, August 22, 2002, the defendant, having entered a plea of guilty in this matter, the sentence of the Court is that the defendant:

1. Pay the cost of prosecution.
2. Make restitution to the victim, DyAnna Hubler, in the amount of One Hundred Twenty-eight Dollars (\$128.00).
3. Pay a fine in the amount of Two Hundred Dollars (\$200.00).
4. Undergo imprisonment at a State Correctional facility for a minimum of six (6) months to a maximum of twenty-four (24) months, with credit given for time served.
5. The charge of Recklessly Endangering shall be nolle prossed.

BY THE COURT,

  
P. J.

ENTERED

COURT OF COMMON PLEAS OF JEFFERSON COUNTY  
PENNSYLVANIA  
CRIMINAL

FILED

AUG 22 2002

COMMONWEALTH OF PENNSYLVANIA

: No. 632 - 2001 Cr.

PROBATION DEPT. COURTS

vs.

: OTN: H 284299-1

: Charge: Simple Assault (M-2)

JOHN E. FELGAR,

Defendant.

: Pros: Ofc. Kirk Brudnock  
Reynoldsville PD

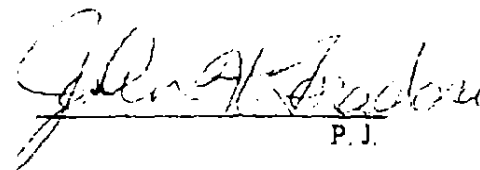
PROBATION ORDER

AND NOW, August 22, 2002, the defendant having entered a plea of guilty in this matter, the imposition of sentence is hereby suspended and the defendant is placed on probation for a period of FIVE (5) YEARS, under the supervision of the Pennsylvania Board of Probation and Parole, upon the following terms and conditions:

1. The defendant will comply with the general rules, regulations and conditions of probation.
2. The defendant will also comply with the following special conditions of probation:
  - A. Pay the costs of prosecution.
  - B. Pay a fine in the amount of Two Hundred Dollars (\$200.00).
  - C. Pay a supervision fee of Thirty Dollars (\$30.00) per month.
3. Said probation shall run concurrent with the sentence imposed at No. 632-2001 Cr., charge of Simple Assault.

BY THE COURT,

ENTERED

  
P. J.

FILED

COURT OF COMMON PLEAS OF JEFFERSON COUNTY  
PENNSYLVANIA  
CRIMINAL

AUG 28 2002

TORRYA S. GEIST  
PRO. & CLERK OF COURTS

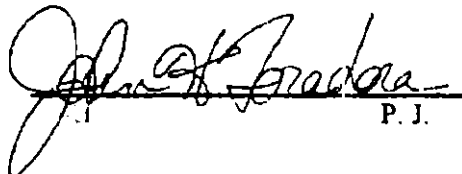
COMMONWEALTH OF PENNSYLVANIA :  
 :  
 :  
 vs. : NO. 632 - 2001 Cr.  
 :  
 :  
 JOHN FELGAR : Charge: Terroristic Threats  
 : (M-1)  
 Defendant. :

ORDER CORRECTING WRITTEN  
SENTENCE ORDER OF AUGUST 22, 2002

AND NOW, August 26, 2002, it having come to the attention of the Court that the written Sentence Order of August 22, 2002 incorrectly listed the charge as Simple Assault when it should be charged as Terroristic Threats,

IT IS THEREFORE HEREBY ORDERED that the written Sentence Order of August 22, 2002 is corrected to list the charge as "Terroristic Threats (M-1)".

BY THE COURT,

  
P. J.

ENTERED